

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF GUAM**

| | | |
|--------------------------|---|-------------------------------|
| UNITED STATES OF AMERICA |) | USDC Cr. Cs. No. 08-00009-001 |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | |
| ROMMEL A. DE SAN JOSE |) | |
| Defendant. |) | |
| _____ |) | |

Re: **Informational Violation Report**

On February 22, 2008, Rommel A. De San Jose appeared for an Initial Appearance and Arraignment Hearing before U.S. Magistrate Judge Joaquin V. E. Manibusan, Jr. The Information charged Mr. De San Jose with Theft of Government Property, in violation of 18 U.S.C. § 641. On the same date, Mr. De San Jose was released on a personal recognizance bond with numerous conditions to include that he not commit any offense in violation of federal, state or local law while on release in this case. On March 27, 2008, Mr. De San Jose entered a guilty plea to the Information and a Sentencing Hearing is set for June 25, 2008. Following the guilty plea, his release was continued.

On June 20, 2008, Mr. De San Jose was cited for criminal trespass when he was found at the Four Seasons Building, which also houses the military clothing store, located on Andersen Air Force Base. He is alleged to have violated the following condition of release:

Mandatory Condition: *The defendant shall not commit any offense in violation of federal, state, or local law while on release in this case.*

On June 20, 2008, Mr. De San Jose was issued a Violation Notice (number R3446903) by Security Forces at Andersen Air Force Base for Criminal Trespassing as he had previously been barred from entering any AAFES facilities on December 3, 2007. On June 23, 2008, this Officer met with Mr. De San Jose to discuss the matter. He admitted that he was sponsored on base by an active duty military member named Arthur (last name unknown). Mr. De San Jose said he, his significant partner, Arvin Carig, his seven-year-old niece, and Arthur went to the Hot Spot, a computer location with wireless connection. Mr. De San Jose stated that he drove to the Four

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Violation of Pretrial Release Conditions; No Action Requested

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Seasons Building to appease his niece who was crying and wanting a toy. They proceeded into the store where a stuffed animal was purchased. Mr. De San Jose further explained that Mr. Carig went into the military clothing store. Mr. De San Jose then entered the military clothing store to tell Mr. Carig they were leaving when he was approached by Security Officer J. Aganon. As a result of the trespassing incident, Mr. De San Jose, Mr. Carig, and the girl were taken to the security forces office. Mr. De San Jose was given a Temporary Order Not to Enter Air Force Property and was issued a United States District Court, Violation Notice which indicated he must appear in court at a later time.


Recommendation: The Probation Officer recommends that although this report is for informational purposes, its contents should be considered at Mr. De San Jose's sentencing scheduled for tomorrow, June 25, 2008.

Respectfully submitted,

ROSSANNA VILLAGOMEZ-AGUON
Chief U.S. Probation Officer

By:  /s/ MARIA C. CRUZ
U.S. Probation Officer

Reviewed by:

 /s/ CARMEN D. O'MALLAN
U.S. Probation Officer Specialist
Supervision Unit Leader

cc: Benjamin Beliles, SAUSA
John Gorman, FPD
File